

Charter
for the Native American
Employment and Training Council

1. Committee's Official Designation.

Native American Employment and Training Council (NAETC)

2. Authority.

Under Section 166(h) (4) of the Workforce Investment Act (WIA) of 1998 (29 USC, Section 2911(h) (4)), the U. S. Secretary of Labor (Secretary) shall establish a Native American Employment and Training Council to facilitate the consultation described in Section 166(h) (2).

3. Objectives and Scope of Activities.

Pursuant to Section 166(h) (4) (C), the Council shall advise the Secretary on all aspects of the operation and administration of the Native American programs authorized under Section 166 of WIA. The Council shall also provide advice regarding the implementation of other programs providing services to Native American youth and adults under WIA consistent with statutory requirements.

In addition, the Council will advise the Secretary on matters that promote the employment and training needs of Indian and Native Americans, as well as enhance the quality of life in accordance with the Indian Self-Determination Act and Education Assistance Act. The Council shall also provide guidance to the Secretary on ways for Indian, Alaska Natives, and Native Hawaiians to successfully access and obtain DOL discretionary funding and participate in special initiatives.

4. Description of Duties.

The Council will function solely as an advisory body and in compliance with the provisions of the Federal Advisory Committee Act (FACA) (5 U.S.C. App.), except that Section 14 of FACA concerning advisory committee expiration and renewal, shall not apply to the Council pursuant to WIA Section 166(h)(4)(G).

The Council shall advise the Secretary on:

- A. All aspects of the operation and administration of the programs assisted under WIA Section 166, including:

- (1) establishing regulations to carry out that Section, including performance

- (2) measures for entities receiving assistance under that Section, taking into account the economic circumstances of those entities;
- (3) developing a funding distribution plan that takes into consideration previous levels of funding (prior to the date of enactment of WIA) to those entities; and
- (4) the selection of the individual appointed as the Unit Supervisor of the Indian and Native American Program.

5. Official to Whom the Committee Reports.

The Council reports to the Secretary.

6. Agency Responsible for Providing the Necessary Support.

Pursuant to the provisions of WIA Section 166(h) (4) (D) (iii), the Secretary, through the United States Department of Labor, Employment and Training Administration, shall provide administrative support for the Council.

7. Estimated Annual Operating Costs and Staff Years.

The total estimated annual operating costs for this Council are approximately \$120,000. The estimated staff years to support the Council are 0.5 FTE.

8. Designated Federal Officer (DFO).

A full-time or part-time Department of Labor, Employment and Training, Office of Workforce Investment, Native American Program employee, appointed in accordance with agency procedures, will serve as the DFO (or designee). The DFO will keep current the Government Service Administration's (GSA) Federal Advisory Committees Database. The DFO will approve or call all advisory committee and subcommittee meetings, prepare and approve all meeting agendas, prepare the Federal Register Notice for council meetings, attend all committee and subcommittee meetings, and adjourn any meeting when the DFO determines adjournment to be in the public interest. The DFO will be the Native American Unit Supervisor, Employment and Training Administration, Office of Workforce Investment, Division of Adult Service, Indian and Native American Program, or his/her designee.

The Executive Secretariat shall submit the public report to the President, the President or his delegate shall make a report to the Congress stating either his proposals for action or reasons for inaction, with respect to the recommendations contained in the public report (FACA (6) (b)).

9. Estimated Number and Frequency of Meetings.

Pursuant to the provision of WIA Section 166(h) (4) (F) the Council shall meet not less than twice each year.

10. Duration.

The Council will continue indefinitely, as required by WIA.

11. Termination.

The Committee is not subject to the provision under Section 14 of FACA (WIA Section 166(h) (4) (G)). However, the Secretary may amend this charter as necessary.

12. Membership and Designation.

The Council shall be composed of approximately 21 members, appointed by the Secretary, who are representatives of Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations.

Members of the Council shall serve without compensation and shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by Section 166 (h)(4)(D)(ii) of WIA.

To the extent practicable, members shall be appointed according to the terms of this section. However, all Council members shall serve at the pleasure of the Secretary and members may be appointed, reappointed, or replaced by a representative of the Indian and Native American community, and their terms may be extended, changed, or terminated at the Secretary's discretion.

The membership of the Council shall represent all geographic areas of the United States with a substantial Indian, Alaska Native, or Native Hawaiian population, and shall include representatives of tribal governments and of non-reservation Native American organizations that are service providers under this Act.

The Council shall elect a chairperson and a vice chairperson from among its members by a majority of a quorum of members present and voting. The term of a chairperson and a vice chairperson shall be for two years. A chairperson and a vice chairperson may serve more than one term.

Members of the Council shall serve at the pleasure of the Secretary for a term designated by the Secretary in writing. A vacancy occurring in the membership of the Council shall be filled in the same manner as the original appointment. A member appointed to a vacancy on the Council shall serve for the remainder of the term for which the predecessor of that member was appointed. Appointments shall remain effective until a replacement is designated by the Secretary in writing.

13. Subcommittees.

The Department of Labor, Indian and Native American (INA) Program, or the Council, with the Agency's approval, may form subcommittees or workgroups for any purpose consistent with this charter. Such subcommittee or workgroup may not work independently of the chartered council and must report their recommendations and advise to the full Council for full deliberation and discussion. Subcommittees or workgroups have no authority to make decisions on behalf of the chartered Council, nor can they report directly to the Department. Subcommittees of the Department, INA Program chartered Council are subject to all of the provision of FACA, except for charting. The DFO will be notified upon the establishment of each subcommittee.

14. Record Keeping.

The records of the Committee and any subcommittee shall be handled in accordance with General Records Schedule (GRS 26, Item 2) and approved agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

15. Effective Date.

The charter shall become effective on the date on which it is filed.



Secretary of Labor

JUL 22 2009

Date